

Amendments to the Claims

This listing of claims will replace all prior listings of claims in the application.

Listing Of Claims:

Claim 1 (canceled).

Claim 2 (currently amended): An optical element comprising:

a base having a reflecting surface to be illuminated by light, and ~~a plural~~ rear surface[[s]] opposite to the reflecting surface, wherein ~~one of the plural rear surface[[s]]~~ includes a first part [[is]] defined by a cut-out portion and a second part not defined by a cut-out portion; and

a cooling mechanism, ~~accommodated by the cut-out portion~~, for cooling said base through radiation in non-contacted manner, wherein the cooling mechanism includes a radiation plate accommodated by the cut-out portion and a Peltier element that cools the radiation plate.

Claim 3 (currently amended): An optical element according to claim 2, wherein the reflecting surface has an illuminated area and a non-illuminated area ~~to be illuminated~~, and the first part ~~cut-out portion~~ is located opposite to the illuminated area ~~on the reflecting surface~~ and the second area is located opposite to the non-illuminated area.

Claim 4 (canceled).

Claim 5 (currently amended): An optical element according to ~~claim 4~~ claim 2, wherein said cooling mechanism has a channel for coolant to flow, and further includes a cooling jacket for recovering heat from the Peltier element.

Claim 6 (previously presented): An optical element according to claim 2, wherein said cooling mechanism further includes a heat insulator for preventing the base from absorbing heat obtained by the cut-out portion.

Claim 7 (canceled).

Claim 8 (canceled).

Claim 9 (canceled).

Claim 10 (previously presented): An optical element according to claim 3, wherein the cut-out portion has a shape that changes according to temperature distributions on the reflecting surface.

Claim 11 (previously presented): An optical element according to claim 3, wherein the cooling mechanism changes cooling power based on a position according to temperature distributions on the reflecting surface.

Claim 12 (original): An optical element according to claim 2, further comprising a mirror.

Claim 13 (original): An optical element according to claim 2, further comprising:
a detector for detecting a temperature of said base; and
a controller for controlling said cooling mechanism so that the temperature of said base detected by said detector becomes a predetermined value.

Claim 14 (canceled).

Claim 15 (currently amended): An exposure apparatus comprising an optical system for exposing a pattern formed on a mask or a reticle onto an object, wherein said optical system includes an optical element, and the optical element includes a base having a reflecting surface to be illuminated by light, and a plural rear surface[[s]] opposite to the reflecting surface, wherein ~~one of the plural rear surface[[s]]~~ includes a first part [[is]] defined by a cut-out portion and a second part not defined by a cut-out portion, and a cooling mechanism, ~~accommodated by the cut-out portion,~~ for cooling said base through radiation in a non-contact manner, wherein the cooling mechanism includes a radiation plate accommodated by the cut-out portion and a Peltier element that cools the radiation plate.

Claim 16 (canceled).

Claim 17 (currently amended): A device fabricating method comprising the steps of:

exposing a pattern on a mask or a reticle onto an object using an exposure apparatus that includes an optical system, wherein said optical system includes an optical element, and the optical element includes a base having a reflecting surface to be illuminated by light, and ~~a plural rear surface~~ one of the rear surface ~~opposite to the reflecting surface, wherein one of the rear surface~~ includes a first part ~~defined by a cut-out portion and a second part not defined by a cut-out portion,~~ and a cooling mechanism, ~~accommodated by the cut-out portion,~~ for cooling said base through radiation in a non-contact manner, wherein the cooling mechanism includes a radiation plate accommodated by the cut-out portion and a Peltier element that cools the radiation plate; and developing the exposed object.

Claim 18 (canceled).